

**facsimile**  
**TRANSMITTAL**

Date: September 15, 2003

No. of Pages: 5 (including this cover sheet)

Fax No.: 703-305-7242 ~~872-9319~~**PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:**

Name: Commissioner of Patents

Art Unit: 2882

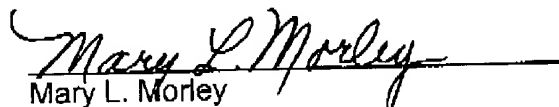
Examiner: George Y. Wang

Phone: 703-305-7242

From: Joel A. Kauth for David J. Bailey  
Reg No. 41,886Re: Application No. 09/547,790  
Filed April 12, 2000  
Entitled SPATIALLY MODULATED INTERFEROMETER PRISM AND  
SHEARING DEVICE THEREFOR

File: C766:39260/RAG

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO  
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON September 15, 2003.

  
Mary L. Morley

\*Correspondence:

Request for Continued Examination (RCE) Transmittal (3 pages);  
Petition for Extension of Time (1 page)For Office Services Use Only  
Return to Mary L. MorleyChristie, Parker & Hale, LLP  
350 West Colorado Boulevard  
Post Office Box 7068  
Pasadena, CA 91109-7068  
626-795-9900  
Fax: 626-577-8800**confidential**

The information in this transmission is confidential and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone collect, and return the original message to us at the above address via U.S. mail. We will reimburse you for postage. Thank you.

---

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

---

*I hereby certify that this correspondence is being facsimile transmitted to the United States  
Patent and Trademark Office on September 15, 2003.*

*Mary L. Morley*  
Mary L. Morley

---

Application Number : 09/547,790  
Filing Date : April 12, 2000  
Inventor(s) : Francis M. Reininger  
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM  
SHEARING DEVICE THEREFOR

Group Art Unit : 2882  
Examiner Name : George Y. Wang  
Docket No. : 39260/RAG/C766

Date: September 15, 2003

---

**MAIL TO: Mail Stop RCE**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a. ☒ Pending (no review proceedings active)
- (1) ☐ An Action was mailed by the Office on   , as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was mailed on June 5, 2003
- ☐ via Express Mail
- ☒ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid and a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

**2. SUBMISSION(S) REQUIRED (check at least one)**

- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on June 5, 2003
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on

---

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

---

**Application No. 09/547,790**

---

- b. ☐ Other:  
☐ Enclosed  
☐ Amendment/Reply  
☐ Affidavit(s)/Declaration(s)  
☐ Information Disclosure Statement  
☐ Documents under 37 CFR § 1.48  
☒ Petition for Extension of Time  
☐ Other:

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP**, P.O. Box 7068, Pasadena, CA 91109-7068.

Respectfully submitted,

**CHRISTIE, PARKER & HALE, LLP**

By



Joe A. Kauth  
Reg. No. 41,886  
628/795-9900

DJB/mlm

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 09/547,790**

<b>PART I — BASIC FEE</b>			
<b>BASIC FEE</b>	<b>Small Entity</b> \$375.00	<b>Large Entity</b> \$750.00	<b>\$375</b>

<b>PART II — ADDITIONAL CLAIMS (compared to application before RCE)</b>						
	<b>Claims Remaining After Amendment</b>	<b>Highest Number Previously Paid For</b>	<b>Number Extra Claims</b>	<b>Small Entity Rate</b>	<b>Large Entity Rate</b>	<b>FEE</b>
<b>Total Claims</b>	34	*35		x \$9.00	x \$18.00	
<b>Independent Claims</b>	8	**8		x \$42.00	x \$84.00	
<b>First Presentation of Multiple Dependent Claim</b>				\$140.00	\$280.00	
<b>TOTAL CLAIMS FEE</b>						<b>\$</b>
<b>List Independent Claims: 6, 12, 13, 23, 24, 33, 34, 35</b>						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
- a. Amount (total from Fee Calculation Sheet) \$375.00
- b.   X   The Commissioner is hereby authorized to charge the \$375.00 fee under 37 CFR 1.16 and 1.17 required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

MLM IRV1069643.1-\*09/15/03 5:01 PM